IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE K.R.UDAYABHANU

FRIDAY, THE 9TH MARCH 2007 / 18TH PHALGUNA 1928

RPFC.No. 118 of 2007()

MC.36/2006 of the FAMILY COURT, THIRUVALLA
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REVISION PETITIONER/CR.PETITIONER:

K.SURA, AGED 33, S/O.KUNJAMMA,
MANALIL VEEDU, VENPALA, KALLUNKAL P.O.,
NEDUMBRAM VILLAGE, THIRUVALLA TALUK,
PATHANAMTHITTA.

BY ADV. SRI.R.SANTHOSH BABU

RESPONDENT/ PETITIONER:

K.R.KOMALAM, AGED 29 YEARS,
D/O.RAGHAVAN, KEEZHCHANNY VEEDU,
NIRANAM KIZHAKKUMBHAGAM MURI,
NIRANAM VILLAGE.

BY PUBLIC PROSECUTOR SRI.C.M.KAMMAPPU

THIS REV.PETITION(FAMILY COURT) HAVING COME UP FOR ADMISSION ON 09/03/2007, THE COURT ON THE SAME DAY PASSED THE FOLLOWING:

K.R.UDAYABHANU,J

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R.P.(F.C) NO.118 OF 2007

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Dated this the 9th day of March,2007

ORDER

The revision petitioner/husband is the respondent in M.C.No.36/2006 as per which he has been ordered to pay a maintenance at the rate of Rs.1,000/- to the petitioner/wife. It is noted in the order that despite receipt of notice, the revision petitioner did not contest. All the same, a sum of Rs.1,500 was sought as maintenance and the court allowed at the rate of Rs.1,000/-. In the circumstances and in view of the fact that the case of the revision petitioner was not heard the order of the court below is set aside, on condition that the revision petitioner/respondent shall remit the arrears of maintenance till the date within two months from today onwards. The petitioner would be entitled to withdraw the same. On depositing of the amount, the court shall re-adjudicate the matter after permitting both sides to adduce evidence and dispose of the same on merits.

The R.P(F.C) is disposed of accordingly.

K.R.UDAYABHANU,JUDGE

dvs